

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	
)	
DELTA CAREER EDUCATION)	Case No. 18-33822-KLP
CORP., <i>et al.</i> ,)	Chapter 7
)	
<i>Debtors.</i>)	(Jointly Administered)
)	
HARRY SHAIA, JR., Trustee,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Adv. Proc. No. 20-03113-KLP
)	
DIXON HUGHES GOODMAN, LLP,)	
)	
<i>Defendant.</i>)	

NOTICE OF DISMISSAL
(Dixon Hughes Goodman, LLP)

THIS DAY CAME Harry Shaia, Jr., Trustee (the “**Trustee**”) for the bankruptcy estates of
Delta Career Education Corp., *et al.*, Debtors, and represented unto the Court as follows:

Vernon E. Inge, Jr. (Va. State Bar No. 32699)
Corey S. Booker (Va. State Bar No. 73419)
Robert N. Drewry (Va. State Bar No. 91282)
WHITEFORD, TAYLOR & PRESTON, L.L.P.
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Special Litigation Counsel for Harry Shaia, Jr., Chapter 7 Trustee

1. On October 29, 2020,¹ the Court entered an Order Approving Motion for Compromise and Settlement of Avoidance Action Claims (Dixon Hughes Goodman, LLP) [DN 180] between the Trustee and Dixon Hughes Goodman, LLP (“**DHG**,” and collectively with the Trustee, the “**Parties**”) resolving Adversary Proceeding Case No. 20-03113;

2. All conditions precedent to the settlement and compromise have been met;

3. The Parties have fulfilled the obligations in the Settlement Agreement; and

4. The Parties have settled and resolved all issues in dispute in connection with the above-styled matter.

WHEREFORE, Plaintiff, Harry Shaia, Jr., Chapter 7 Trustee, requests that this Court enter an order in the form attached hereto as **Exhibit A** that the Adversary Proceeding be dismissed with prejudice to all Parties and claims and that a final judgment be entered pursuant to Bankruptcy Rule 7054 and Fed. R. Civ. P. 54(b).

Dated: November 18, 2020

HARRY SHAIA, JR., CHAPTER 7 TRUSTEE

/s/ Robert N. Drewry
Counsel

Vernon E. Inge, Jr. (Va. Bar No. 32699)
Corey S. Booker (Va. Bar No. 73419)
Robert N. Drewry (Va. Bar No. 91282)
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Special Litigation Counsel for Harry Shaia, Jr., Chapter 7 Trustee

¹ Judge Phillips entered this Order on October 28, 2020, and the Court filed it on October 29, 2020.

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of November, 2020, a true and correct copy of the foregoing ***Notice of Dismissal (Dixon Hughes Goodman, LLP)*** was served on all persons receiving electronic notices of these cases and/or by e-mail transmission or first-class, postage-prepaid, U.S. mail, including the following:

Counsel to the Trustee: William A. Broschious, Esq.
KEPLEY BROSCIOUS & BIGGS, PLC
2211 Pump Road
Richmond, Virginia 23233

*Counsel to the Assistant
U.S. Trustee:* Shannon Pecoraro, Esq.
OFFICE OF THE U.S. TRUSTEE
701 East Broad Street, Suite 4304
Richmond, Virginia 23219

Counsel for the Debtors: Loc Pfeiffer, Esq.
Peter J. Barrett, Esq.
KUTAK ROCK LLP
901 East Byrd Street, Suite 1000
Richmond, Virginia 23219

*Counsel for Dixon Hughes
Goodman, LLP:* James R. Hundley, Esq.
WYATT EARLY HARRIS WHEELER
1912 Eastchester Drive, Suite 400
High Point, North Carolina 27265

/s/ Robert N. Drewry
Robert N. Drewry

EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
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In re:)	
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DELTA CAREER EDUCATION)	Case No. 18-33822-KLP
CORP., <i>et al.</i> ,)	Chapter 7
)	
<i>Debtors.</i>)	(Jointly Administered)
)	
HARRY SHAIA, JR., Trustee,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Adv. Proc. No. 20-03113-KLP
)	
DIXON HUGHES GOODMAN, LLP,)	
)	
<i>Defendant.</i>)	

ORDER GRANTING TRUSTEE'S NOTICE OF DISMISSAL
(DIXON HUGHES GOODMAN, LLP)

THIS DAY CAME Plaintiff, Harry Shaia, Jr., Chapter 7 Trustee (“**Trustee**”) for the bankruptcy estates of Delta Career Education Corp., *et al.*, Debtors, upon his Notice of Dismissal (Dixon Hughes Goodman, LLP) filed herein on November 18, 2020. It appearing to the Court that:

Vernon E. Inge, Jr. (Va. State Bar No. 32699)
Corey S. Booker (Va. State Bar No. 73419)
Robert N. Drewry (Va. State Bar No. 91282)
WHITEFORD, TAYLOR & PRESTON, L.L.P.
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E-mail: rdrewry@wtplaw.com

Special Litigation Counsel for Harry Shaia, Jr., Chapter 7 Trustee

1. All conditions precedent to the settlement and compromise between the Trustee and Dixon Hughes Goodman, LLP (“**DHG**,” and collectively with the Trustee, the “**Parties**”) have been met;

2. The Parties have fulfilled the obligations in the Settlement Agreement; and

3. The Parties have settled and resolved all issues in dispute in connection with the above-styled matter.

UPON CONSIDERATION of the foregoing, it is hereby:

ORDERED that the Adversary Proceeding shall be **DISMISSED WITH PREJUDICE**.

The Court finds that there is no just reason for delay, and, accordingly, this Order and Judgment shall be **FINAL** as provided for by Bankruptcy Rule 7054 and Fed. R. Civ. P. 54(b).

Dated: _____
Richmond, Virginia

UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/ Robert N. Drewry

Vernon E. Inge, Jr. (Va. Bar No. 32699)

Corey S. Booker (Va. Bar No. 73419)

Robert N. Drewry (Va. Bar No. 91282)

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Special Litigation Counsel for Harry Shaia, Jr., Chapter 7 Trustee

CERTIFICATION OF ENDORSEMENT
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

I hereby certify that the foregoing proposed Order has been endorsed by or served upon all necessary parties.

/s/ Robert N. Drewry
Robert N. Drewry

SERVICE LIST

Counsel to the Trustee: William A. Broschious, Esq.
KEPLEY BROSCIOUS & BIGGS, PLC
2211 Pump Road
Richmond, Virginia 23233

*Counsel to the Assistant
U.S. Trustee:* Shannon Pecoraro, Esq.
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